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April 21, 2023

Via ECF

The Honorable LaShann DeArcy Hall  
United States District Judge for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Paschalidis v. The Airline Restaurant Corp., et al.,*  
*Docket No.: 20-cv-2804(LDH)(RLM)*

Dear Judge DeArcy Hall:

As the Court knows, we represent Defendants The Airline Restaurant Corp., James Meskouris, and Peter Meskouris (all three, together as “Defendants”), in the above-referenced matter. On January 19, 2023, the Court granted the parties’ joint request for an extension of time to file their requests for a pre-motion conference concerning their respective anticipated motions for summary judgment, establishing a briefing schedule for same and directing, *inter alia*, that the motions for summary judgment shall share a single Rule 56.1 statement and Defendants shall file their reply Rule 56.1 statement to Plaintiff’s statement of additional facts in support of its own motion. *See* Electronic Order dated January 19, 2023. Thereafter, on March 20, 2023, the Court granted Plaintiff’s March 14, 2023 request for an extension of time to file his pre-motion conference letter and Rule 56.1 statement, ECF No. 74, directing Plaintiff to file same no later than April 19, 2023 and further ordering Defendants to file their reply 56.1 statement no later than May 1, 2023. *See* Electronic Order dated March 20, 2023.

We write now to respectfully seek clarification on whether Defendants are permitted to submit a letter solely in response to Plaintiff’s anticipated partial motion for summary judgment, in addition to Defendants’ reply Rule 56.1 statement to Plaintiff’s statement of additional facts in support of its own motion, both by the current deadline of May 1, 2023. More specifically, Defendants wish to address the arguments that Plaintiff has raised in support of his anticipated partial motion, as well as preclusion of the Declaration of Pauline C. O’Reilly. ECF No. 75-5.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

**FRANKLIN, GRINGER & COHEN, P.C.**

A handwritten signature in blue ink, appearing to read "Danielle Mietus", is written over a horizontal line.

Danielle E. Mietus, Esq.

C: All Counsel of Record (*via* ECF)